GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prisons Department – Death of C.T. Prisoner No: 48 Uppada Gowri Shankar@Shankar S/o Ramabangaraiah on 30.07.2024 – **Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam** and (06) others – Exhibited gross negligence and poor supervision - Initiation of Departmental Proceedings under **Rule 20 A.P. Civil Services (CC&A) Rules 1991 read with rule 24 of APCS (CC&A) Rules, 1991 – Articles of charges – Issued**.

HOME (PRISONS & FIRE) DEPARTMENT

G.O.RT.No. 172 Dated: 28-01-2025

Read:-

From the Director General of Prisons and Correctional Services,
Andhra Pradesh, Mangalagiri vide Lr. No. Estt-2/442/2024, Dated: 26.11.2024.

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ORDER:

Whereas, it is proposed to hold an inquiry against **Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam**and (6) others in accordance with procedure laid down Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991 for exhibiting misconduct and poor supervision, which resulted the death of CT.No:48 Uppada Gowri Shankar S/o Rambangaraiah by hanging himself on 30.07.2024 at Central Prison, Visakhapatnam.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure.II and III).

3. **Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam** is hereby directed to submit a written statement of his defense within (10) days from the date of receipt of this memo and also to state whether he desires to be heard in person.

4. **Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam** is informed that an enquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. **Sri S.Kishore Kumar, Superintendent, Central Prison, Visakhapatnam** is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, or otherwise fails to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991, or the orders/directions issued in pursuance of the said rules, further action will be processed based on the material available.

6. Attention of **Sri S. Kishore Kumar, Superintendent, Central Prison, Visakhapatnam** is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests

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in respect of matters pertaining to his service under the Government. If any representation received on his behalf from another person in respect of any matter dealt with in these Proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. Receipt of the memorandum shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S. Kishore Kumar, Superintendent, Central Prison, Visakhapatnam through
the Director General of Prisons and Correctional Services, Andhra Pradesh,
Managalagiri
Copy to:
The Director General of Prisons and Correctional Services, Andhra Pradesh,
Managalagiri with a request to serve this memo on the Charged officer under
proper acknowledgement.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure I

(G.O.Rt.No.172, Home (Prisons & Fire) Department, Dated: 28.01.2025)

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI S.KISHORE KUMAR, SUPERINTENDENT OF JAILS, CENTRAL PRISON, VISAKHAPATNAM

Article of Charge:

"That the said **Sri S. Kishore Kumar, Superintendent, Central Prison, Visakhapatnam** has exhibited misconduct and poor supervision over his subordinate officers of the Prison viz., Additional Superintendent, Deputy Superintendents and Jailors of Central Prison, Visakhapatnam due to which they flouted the established procedures, which resulted in suicide attempt of convict prisoner, CT No.48 Uppada Gowri Shankar, S/o Rambangaraiah by hanging himself in Godavari Barrack of Central Prison, Visakhapatnam on 30-7-2024 and also led to death of the prisoner. This action on part of the charged officer amounts to clear violation of Rule No. 42 & 89 of A.P. Prisons Rules, 1979 and Rule 3 of A.P.C.S. Conduct Rules, 1964.

Basis of Charge:

One Convict Prisoner No. 48 Uppada Gowri Shankar @ Sankar, S/o Rambangaraiah was convicted and sentenced to R.I. for (20) years and to pay a fine of Rs. 10,000/- i/d SI for three months U/s 3(a) r/w 4 of POCSO ACT in SC No. 151/2020 on the file of Hon'ble Special Judge, Pocso Court, Visakhapatnam on 25-07-2024 and admitted in Central Prison, Visakhapatnam on the same day. This prisoner was shifted to Godavari Barrack on 26-07-2024. On 30-07-2024 at 4.30 PM, the said prisoner has attempted suicide by hanging himself to a ventilator in outside toilets on Godavari Block. On observing the incident, the prisoner was immediately removed from the noose and shifted to KGH, Visakhapatnam, where the Casualty Medical Officer declared the prisoner as brought dead.

In the above incident the following lapses of are observed**.**

1. Rule 245 of Andhra Pradesh Prisons Rules, 1979, stipulates that every newly admitted prisoner shall be subjected to such period of quarantine as the Superintendent, on the advice of the Medical Officer, shall direct. In this case, it is observed that the above said officers have approved the swift shifting the said prisoner to the regular barracks on very next day of his admission into the prison from quarantine and also without the advice of the Medical Officer. But in the present instance, the convict prisoner was removed from the Quarantine Barrack to Godavari Barrack immediately on the next day and without clearance from the Medical Officer clearly showing that the prisoner was not subjected to any counseling or acclimatization, which if had taken place, the prisoner would not have attempted suicide.

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2. When explanation was sought for from the charged officer from the Range Officer, Coastal Andhra Range, the charged officer vide his letter No.CPV/OS(E)/5090/ 2024, Dt.03-08-2024, had submitted that the average period of quarantine for the newly admitted prisoners at Central Prison, Visakhapatnam is **two** to **three** days and yet the convict prisoner, No. 48 Uppada Gowri Shankar @ Sankar was removed from quarantine barrack to Godavari barrack within one day. This clearly shows that being the Unit Head, the charged officer is not aware of the happenings in his Prison, which is unbecoming of an officer in the cadre of Superintendent of Jails.

3. When instructed to conduct proper enquiry into the incident, the charged officer has initiated disciplinary action on the guarding staff members posted in Godavari Block on 30-07-2024 instead of initiating action against officers who had initially removed the prisoner from quarantine block to Godavari block. Such an act by the charged officer clearly shows that he, in order to protect the erring officers is trying to make some other officers responsible for the prisoner's death. Protecting the officers who have erred in their duties and making some other officers responsible is clearly an act of misconduct on part of the officer in the cadre of Superintendent of Jails.

4. On 30-07-2024, there were around (309) prisoners confined in Godavari Barrack but only (02) guarding staff members were posted in the barrack in each shift. The Head Office vide **Memo No.EA4/1364/2002,Dated.31-08-2002** and the Range Office, Coastal Andhra Range vide **Memo No.DIG(CAR)/AO/575/2023, Dated. 13-04-2023** issued clear instructions to adopt "2-Shift System" of guarding instead of "3-Shift System" of guarding in institutions where there is shortage of guarding staff. In spite of the issued instructions, the charged officer being the Superintendent of Jails of Central Prison, Visakhapatnam had adopted 3-Shift System of Guarding giving way for having lesser number of guarding staff on duty. Had 2-Shift System of guarding was followed in Central Prison, Visakhapatnam, there would have been a greater number of guarding staff members in the Central Prison and the prisoner movements could have been effectively monitored and this could have prevented the suicide attempt by the convict prisoner. The failure in assessing the guarding staff requirement in an overcrowded Central Prison and deliberate disobedience to Head Office and Range Office instructions have resulted in the convict prisoner attempting suicide and thereafter dying. This is clearly a failure on part of the charged officer being the Superintendent of Jails and shows his inefficiency in managing a prison institution.

5. Thus he has violated Rule No. 42 & 89 of A.P. Prison Rules, 1979 and Rule 3 of A.P.C.S. Conduct Rules, 1964.

   Hence, the **Charge**.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE II

(G.O.Rt.No.172, Home (Prisons & Fire) Department, Dated: 28.01.2025)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI S.KISHORE KUMAR, SUPERINTENDENT OF JAILS, CENTRAL PRISON, VISAKHAPATNAM ARE PROPOSED TO BE SUSTAINED:

1. Statement of Sri R. Chinna Rao, Jailor, Central Prison, Visakhapatnam
2. Statment of Sri L.V.S. Naidu, Deputy Jailor, Central Prison, Visakhapatnam
3. Statement of Sri D.V. Ramana Murthy, Head Warder, Sub-Jail, Managalaigri working on attachment at Central Prison, Visakhapatnam
4. Statement of Sri Vanapalli Vasudeva Rao, Warder No.169, Central Prison, Visakhapatnam
5. Duty Chart of Guarding Staff as on 30-07-2024
6. Nominal Roll of CT No.48 Uppada Gowri Shankar @ Shankar, S/o Rama Bangaraiah.
7. Inquest report, dated 31.07.2024 on the deceased prisoner, CT No. 48, Uppada Gowri Shankar S/o Rambangaraiah.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

(G.O.Rt.No.172, Home (Prisons & Fire) Department, Dated: 28.01.2025)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI S.KISHORE KUMAR, SUPERINTENDENT OF JAILS, CENTRAL PRISON, VISAKHAPATNAM ARE PROPOSED TO BE SUSTAINED

1. Sri M. Venkateswarlu, Additional Superintendent, Central Prison, Visakhapatnam
2. Sri S. Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa
3. Sri P. Kusha Kumar, Jailor, Central Prison, Visakhapatnam
4. Sri R. Chinna Rao, Jailor, Central Prison, Visakhapatnam
5. Sri L.V.S.Naidu, Deputy Jailor, Central Prison, Visakhapatnam
6. Sri D.V. Ramana Murthy, Head Warder, Sub-Jail, Managalaigri working on attachment at Central Prison, Visakhapatnam
7. Sri Vanapalli Vasudeva Rao, Warder No.169, Central Prison, Visakhapatnam

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT